



United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

June 2, 2008

By Fax

Honorable Alvin K. Hellerstein  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 1050  
New York, New York 10007

Re: Arlene Rowe v. Astrue  
08 Civ. 2811 (AKH)

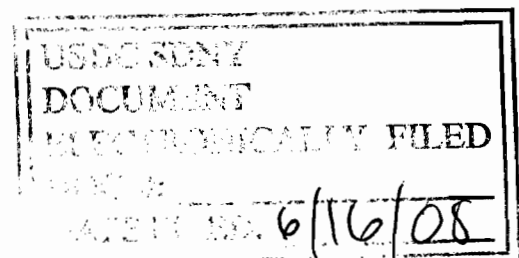
Dear Judge Hellerstein:

This Office represents the Commissioner of Social Security, defendant in the above-referenced action. Due to the press of work, I have been unable to review this case. Therefore, I respectfully request an extension of sixty days from today, June 2, 2008, until August 1, 2008, respond to the complaint.

In addition, I respectfully request, nunc pro tunc, an extension of time on the briefing schedule, to allow the government to move for judgment on the pleading by September 5, 2008. Due to an oversight on my part, I was unaware that on April 29, 2008, the Court issued an order requiring the parties to move by May 27, 2008. I apologize for this error.

Should the Court approve of this request, defendant's motion would be due on September 5, 2008. Plaintiff's opposition would be due on October 6, 2008, and defendant's reply, if any, would be due on October 20, 2008.

This is defendant's first request for an extension of time in this matter. On May 2, 2008, this Office sent a letter to plaintiff pro se asking for her consent to our request for more time to respond to the complaint. In addition, today we telephoned plaintiff. She did not respond to any of our efforts to reach her.




*So ordered  
6.16.08  
C. J. Hellerstein*

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

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cc: Arlene Rowe, Plaintiff Pro Se (By overnight mail)